1932

Department of Land Revenue

OFFICE Board of Revenue

STATION Madras

Dis No. 1494

1494

Dated 13-5-32

B. 818/32

27/5/32

Reserve

Date	Initial
Given for copying	
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Pages in the file

(SUBJECT.)

Allowance - Taadik (Smith Stanistreet) Sheristadar, Collectorate vis-à-vis Draftsmen Dept. Madras in Land Revenue - Charge of Revenue - Orders passed -

* Not to be filled in in the case of permanent records.

B818

BOARD OF REVENUE
8 FEB 1932
REVENUE & SETTLEMENT

R.O.C.11120-31-B1.

South Kanara Collector's Office,
Mangalore, 4th February 1932.

From

Khan Bahadur J. Hussain, Bar-at-Law,
Collector of South Kanara.

To

The Secretary to the Board,
Land Revenue & Settlement,
Madras.

Sir,

Allowances - Tasdik - (South Kanara District) - Puttur Taluk - Kudipadi village - Battrapadi Vishnumoorthi Dev - Payment by assignment of Land Revenue - change of patta Nos. - -Request.

******

Battrapadi Vishnumoorthi Dev, a religious institution in Kudipadi village has a tasdik of Rs.13-3-3 allowed as remission of assessment from S.Nos.56/1 to 5 and S.No.59/6 of Kudipadi village

In accordance with a compromise petition filed by the Plaintiffs in O.S.683/26 on the file of the District Munsif's Court, Puttur for partition of properties, it has been ------ ordered that the Plaintiffs in the suit should pay the entire amount of tasdik to the institution from the land revenue of properties allotted to their share, i.e., S.Nos.56/7A2, 31/1CA -12A. The guardian of the minors to whom the property has been allotted now applies for necessary changes in the ------ accounts involving remission of assessment from the property allotted to their share. There is sufficient land revenue in the property allotted to cover the tasdik amount.

The parties are not willing to accept payment by Beriz Deduction.

I solicit instructions whether remission may be allowed from the S.Nos. allowed to Plaintiffs share

For Collector.

M.D'S.4/2.

Allowances - Tasdik - South Kanara
Puttur Taluk - Kudipadi vg -
Bhattrapadi Vishnumurti Dev -
Assignment of land revenue - chan
gholdings.

B 818.32 pic Q

Rep.no B. 8.18.32-1 dt 12.2.32

The Collector is requested to
report

(1) who conducts service in
the religious institution,

(2) whether it is properly conducted
and (3) why the guardians reques
should not be rejected as the
arrangement between the parties
in the suit confirmed by the Civ
Court decree does not bind th
Government.

Rep
12/2/32

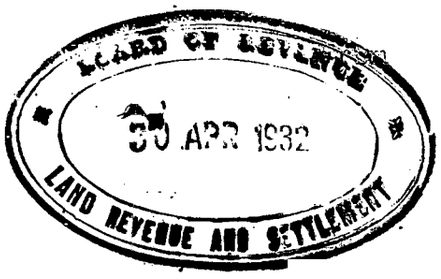
12/2/32

5

B2375

R.O.C.11120-32-B.1. South Kanara Collector's Office,

Mangalore, dated 26th April '32.



Khan Bahadur J. Hussain, Bar-at-law,

Collector of South Kanara.

The Secretary to the Board,

Land Revenue and Settlement,

M a d r a s

Sir,

Allowances - Tasdik - (South Kanara) - Puttur Taluk - Kudipadi village - Bhattrapadi Vishnumurti Dev - Assignment of land revenue - change of holdings.

Board's Ref.B.No.818-32-1 dated 12-2-1932.

(1) Points 1 and 2 of Board's reference. Service in the institution is conducted regularly by Venkatramanaya son of Bhettrapadi Lakshinarnappaya.

(2) Point (2). There is no reason why the request should not be rejected. The only thing the Government could do for the parties is the payment of tasdik by beriz deductio.. But the parties are not willing to have it paid in this way.

A Krishnaswami 28/4/32

For Collector.

27.4.32

R. F. XXII-A-19—30,004—2-2-31 (6)

FOR MEMBER.

Subject.

Allowance Tasdik - (Smith Kanara) Khoti Sadi Vge - Balampadi village - Assignment of land rev. charge of lobbing - Order passed

READ AGAIN B. P. No. _____ ,dated _____ 193

" " _____ , " _____ 193

READ ALSO :—

Register No. _____ From Bd of BS 818/32, No. _____ , dated _____ 193

" " _____ , " " Bd of Referee 2122/32 } -do

" " _____ , " " Bd of BS 2385/32 } _____ , " _____ 193

" " _____ , " " _____ " " _____ , " _____ 193

RESOLUTION. (Revenue) No. 1494 dated 13 . 5 . 1932

Received on 15/5/32

Issued on 13/5/32

The Collector of Smith Kanara is informed that remission should not be allowed from the survey numbers which fell to the plaintiffs in the partition suit but that the existing arrangement should continue

dg CR 13.5.32

135/32

13-5-32

Note file

HS(DR) Allowances Todik (South Kanara) Puttur Taluk Kudipady Bhattarapadi Vishnumurti Dev Assignment of land revenue change of Patta nos

P.S.I.D. 32 f. 104

To

A8(DR)

Please see the South Kanara Collectors letter at p.104

2. The Government have to be addressed to sanction the change of Patta nos. the survey numbers of the lands the land revenue of which has been assigned in favour of the institution. The Collector may be asked to furnish any authority for sanctioning the present assignment of land revenue on Survey No 56/1 to 5 and No 59/6 of the village and to report if any title deed has been granted in the case. The collector may also be requested asked to submit a copy of the title deed, if a copy of the compromise petition filed by the parties in the district munsif's Court

11.2.32

CW 11.2.32.

The office should have perused the indices for the last 20 years and prepared up some precedents. I ask the collector to report

(i) who conducts services in the religious institution

(ii) whether it is properly executed and (iii) why the ~~petitioner~~ guardian's request should not be rejected as the arrangement between the parties in the suit confirmed by the Civil Court decree does not bind the Govt.

AS(LR) | AS(LR)

Draft Submitted

2. Indexes will be now looked into to find out precedents, if any.

12/2/32

PS's note of 12.2.32.

Letter from the Collector of Sivaganga

[B.2375/32]

To AS

The indexes of the last 15 years have been searched. No such precedents are traceable.

2. The question is whether a 'casual' allowance as remission of assessment from cash lands can be converted into a 'permanent deduction' in favour of the willing assignees parties concerned.

3. Reference is, in this connection, invited to the Advocate General's opinion in (illegible) It appears that payments by permanent deduction cannot be proceeded

This point will further be noted upon by the Income Section.

dg 5/5/32 Note by Income Section.

SS 5/5/32 It is apparently in view of the Advocate General's opinion that the exception referred to in para 1 of G.O. 806 Rev 3 24.4.29 cases covered by the TDs issued by the Income Commissioner was made. Whether the opinion in question should be acted upon in respect of cases of the sort although it would be reasonable to substitute bearing debentures in those cases is a point of law. This will be noted on in the A Section. 5.5.32 The point whether bearer debentures could be substituted for assignments of leased reversions in cases where title deeds have been issued is discussed in paras 4-5 of the Govt memo at pp 6-7(U). The Board accepted the position as stated in G.O. 806. Proc. Rev d 24.4.29. Govt ordered that in cases like the present where title deeds have been issued bearer debentures could not be issued. There is no further point of law.

Y. 13 MAY 32

13/5/32 The collector may be told that remission should not be allowed from the S. nos which fall to the plaintiff's share and that the existing arrangement should continue

S

Draft dg 13-5-32

dg 17-5-32

A.M. 9.5.32

Yrs 11.5.32